

*Application No. 09/897,803
Amendment Dated January 19, 2005
Reply to Advisory Action of December 23, 2004 and
Office Action of October 6,, 2004*

REMARKS

This Amendment is responsive to the Advisory Action of December 23, 2004 and to the Office Action mailed October 6, 2004. In that Action, claims 1 and 15 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over U.S. Patent Number 6,324,654 to Wahl ("Wahl") in view of U.S. Patent No. 6,564,221 to Shatdal ("Shatdal"). Claims 2-6, 9-14, 16, 17, and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wahl in view of Shadal and further in view of Hogg and Craig, "Introduction to Mathematical Statistics", 5th Edition. Lastly in the Office Action, claims 7, 8, and 18-23 were indicated as containing allowable subject matter. Those claims have now been rewritten into independent form to include all of the limitations of their respective base claim and any intervening claims.

Claims 2 and 16 were amended "into" independent claims 1 and 15, respectively. Other claim amendments were made as well for clarity.

Lastly, the Examiner rejected all claims under the judicially created Doctrine of Double Patenting in view of co-pending application Serial No. 09/897,853 filed on July 2, 2001. Accordingly, applicants have tendered and file herewith a Terminal Disclaimer.

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CONCLUSION

In view of the comments and arguments presented above, applicants respectfully submit that all pending claims are in condition for allowance.

Allowance of all pending claims and early notice to that effect is respectfully requested.

Respectfully submitted,

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